

MONDAY, MARCH 15, 2004

SEVENTIETH LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 5:00 p.m., and was called to order by Mr. Speaker Wilder.

PRAYER

The proceedings were opened with prayer by Minister Gilbert Aldridge of First Baptist Church in Fairfield Glade, Tennessee, a guest of Senator Burks.

PLEDGE OF ALLEGIANCE

Senator Burks led the Senate in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 30

Senators present were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Herron, Ketron, Kilby, Kurita, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--30.

COMMUNICATIONS

March 8, 2004

Lt. Governor John S. Wilder
1 Legislative Plaza
Nashville, Tennessee 37243-0026

Dear Governor Wilder:

I am requesting to be absent from Session March 15 through March 25, 2004 for personal matters. If you have any questions, please feel free to call my office.

Thank you in advance for your assistance in this matter.

Sincerely,

/s/ Doug Jackson

APPROVED: Lieutenant Governor
John S. Wilder

March 15, 2004

Lieutenant Governor John Wilder
Suite 1, Legislative Plaza
Nashville, TN 37243

Dear Mr. Speaker Wilder:

Due to illness please excuse me from the Senate Session on Monday, March 15, 2004.

Thank you for honoring my request.

Very truly yours,

/s/ Douglas Henry

APPROVED: Lieutenant Governor
John S. Wilder

INTRODUCTION OF BILLS

The Speaker announced that the following bills were filed for introduction and passed first consideration:

Senate Bill No. 3479 by Senator Herron.

Tiptonville -- Subject to local approval, requires two, instead of three, readings to pass an ordinance. Amends Chapter 393 of the Acts of 1907.

Senate Bill No. 3480 by Senator Clabough.

Blount County -- Subject to local approval, creates Section No. 4 of the general sessions court to be appointed by the legislative body effective January 1, 2005, until September 1, 2006; provides for election for eight-year term at August 2006 general election; and, effective September 1, 2006, makes judge of Section No. 3 the presiding judge of such court. Amends Chapter 345 of the Private Acts of 1947.

HOUSE BILLS ON FIRST CONSIDERATION

The Speaker announced that the following House Bills were transmitted to the Senate and passed first consideration:

House Bill No. 2187 -- Highway Signs -- "Arvil Armstrong Memorial Bridge", U.S. Highway 411 viaduct bridge in McMinn County.

House Bill No. 2195 -- Motor Vehicles -- Requires trailers manufactured and sold within Tennessee, or sold within Tennessee, to have stamped upon such vehicle's metal tongue or frame a unique vehicle identification number beginning January 1, 2005. Amends TCA Title 55, Chapter 5, Part 1.

House Bill No. 2196 -- Traffic Safety -- Requires trailers manufactured and sold within Tennessee, or sold within Tennessee, with GVWR of 3,000 lbs. or less to be equipped with new tires beginning January 1, 2005. Amends TCA Title 55, Chapter 9, Part 2.

House Bill No. 2197 -- Highways, Roads and Bridges -- Creates specific offense of vandalism of roads and bridges; provides for financial incentive for reporting such vandalism. Amends TCA Title 54, Chapter 1, Part 1.

House Bill No. 2573 -- Public Contracts -- Clarifies that for a public work contract, while a contractor is required to obtain a bond or other surety, the contractor is not required to obtain the bond from any particular surety, agent, broker or producer, and cannot be so required by any public official. Amends TCA Section 12-4-201.

House Bill No. 2584 -- Water -- Authorizes Commissioner of Environment and Conservation to deny wastewater treatment discharge permit if economically feasible alternative means for disposal exists. Amends TCA Title 69, Chapter 3, Part 1.

House Bill No. 2839 -- Veterinarians -- Authorizes temporary licenses be granted to veterinarians who have completed four years of clinical studies and are enrolled in a foreign veterinary program. Amends TCA Title 63, Chapter 12.

House Bill No. 3062 -- Child Custody and Support -- Allows the security for a bond required in the event that a person is in arrears on child support payments to be deemed sufficient by either the court, the clerk of the court or the sheriff. Amends TCA Section 36-5-101.

House Bill No. 3192 -- Safety -- Changes expiration date of emergency medical service licenses from December 31 of the year issued to June 30 of the year after issued, requires that all ambulances, including aircraft, be licensed by removing exception for individual aircraft, and removes \$25.00 reinstatement fee for expired licenses but allows the board to establish the fee by rule. Amends TCA Title 68, Chapter 140, Part 5.

House Bill No. 3356 -- County Officers -- Restores the office of constable in DeKalb County. Amends TCA Section 8-10-101.

House Bill No. 3555 -- Montgomery County -- Subject to local approval, authorizes county to impose adequate facilities tax.

SENATE BILLS ON SECOND CONSIDERATION

The Speaker announced that the following bills passed second consideration and were referred to the appropriate committee:

Senate Bill No. 3477 held on desk.

Senate Bill No. 3478 referred to Committee on General Welfare, Health and Human Resources.

INTRODUCTION OF RESOLUTIONS

The Speaker announced that the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 816 by Senator Cooper.
Memorials, Academic Achievement -- Nathaniel Douglas Smith, Co-Valedictorian, Warren County High School.

MONDAY, MARCH 15, 2004 -- 70TH LEGISLATIVE DAY

Senate Joint Resolution No. 817 by Senator Southerland.

Memorials, Professional Achievement -- Lee Workman, Teacher of the Year, Lincoln Middle School and Hamblen County.

Senate Joint Resolution No. 818 by Senator Southerland.

Memorials, Professional Achievement -- Janet Rouse, Teacher of the Year, Witt Elementary School and Hamblen County.

Senate Joint Resolution No. 819 by Senator Southerland.

Memorials, Professional Achievement -- Susan Gatz, Teacher of the Year, West High School and Hamblen County.

Senate Joint Resolution No. 820 by Senator Southerland.

Memorials, Professional Achievement -- Susan McGowan, Teacher of the Year, Lincoln Elementary School.

Senate Joint Resolution No. 821 by Senator Southerland.

Memorials, Professional Achievement -- Joy Rose, Teacher of the Year, Union Heights Elementary School.

Senate Joint Resolution No. 822 by Senator Southerland.

Memorials, Professional Achievement -- Traci Jefferson, Teacher of the Year, East High School.

Senate Joint Resolution No. 823 by Senator Southerland.

Memorials, Professional Achievement -- Patty Baxley, Teacher of the Year, West View Middle School.

Senate Joint Resolution No. 824 by Senator Southerland.

Memorials, Professional Achievement -- Amy Hazelwood, Teacher of the Year, Hillcrest Elementary School.

Senate Joint Resolution No. 825 by Senator Southerland.

Memorials, Professional Achievement -- Thelma Metzger, Teacher of the Year, Alpha Elementary School.

Senate Joint Resolution No. 826 by Senator Southerland.

Memorials, Professional Achievement -- Peggy Howell, Teacher of the Year, Fairview-Marguerite Elementary School.

Senate Joint Resolution No. 827 by Senator Southerland.

Memorials, Professional Achievement -- Gwendolyn Cates, Teacher of the Year, John Hay Elementary School.

Senate Joint Resolution No. 828 by Senator Kyle.

Memorials, Death -- Frank William Hicks, Jr.

Senate Joint Resolution No. 829 by Senator Henry.

Memorials, Congratulations -- Nashville Rescue Mission, 50th anniversary, March 16, 2004.

Senate Joint Resolution No. 830 by Senator Henry.

Memorials, Death -- Peggy Weil Steine.

RESOLUTIONS LYING OVER

House Joint Resolution No. 858 -- General Assembly, Directed Studies -- Requests comptroller to study issues relative to procurement, utilization and production of asphalt by Tennessee counties and report findings no later than February 1, 2005.

The Speaker announced that he had referred House Joint Resolution No. 858 to Committee on State and Local Government.

House Joint Resolution No. 954 -- Memorials, Public Service -- Presley Hughes.

The Speaker announced that he had referred House Joint Resolution No. 954 to Committee on Calendar.

House Joint Resolution No. 961 -- Memorials, Sports -- Andrea Stefek, Tennessee Soccer Player of the Year.

The Speaker announced that he had referred House Joint Resolution No. 961 to Committee on Calendar.

House Joint Resolution No. 962 -- Memorials, Congratulations -- Sumner County High Schools.

The Speaker announced that he had referred House Joint Resolution No. 962 to Committee on Calendar.

House Joint Resolution No. 963 -- Memorials, Sports -- Hendersonville High School Cheerleaders, World Cheerleading Association Medium Varsity Division National Champions.

The Speaker announced that he had referred House Joint Resolution No. 963 to Committee on Calendar.

House Joint Resolution No. 964 -- Memorials, Recognition -- Communities in Schools.

The Speaker announced that he had referred House Joint Resolution No. 964 to Committee on Calendar.

House Joint Resolution No. 965 -- Memorials, Sports -- Blue Springs Hawks, 2004 Athletic Cheer and Dance National Champions.

The Speaker announced that he had referred House Joint Resolution No. 965 to Committee on Calendar.

Senate Joint Resolution No. 806 -- Memorials, Academic Achievement -- Tara Tolbert, Valedictorian, DeKalb County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 806 to Committee on Calendar.

Senate Joint Resolution No. 807 -- Memorials, Academic Achievement -- Brittany Willoughby, Salutatorian, DeKalb County High School.

MONDAY, MARCH 15, 2004 -- 70TH LEGISLATIVE DAY

The Speaker announced that he had referred Senate Joint Resolution No. 807 to Committee on Calendar.

Senate Joint Resolution No. 808 -- Memorials, Professional Achievement -- Sue Lee, Teacher of the Year, West Elementary School.

The Speaker announced that he had referred Senate Joint Resolution No. 808 to Committee on Calendar.

Senate Joint Resolution No. 809 -- Memorials, Professional Achievement -- Suzanne Poole, Teacher of the Year, Miller Boyd Alternative School.

The Speaker announced that he had referred Senate Joint Resolution No. 809 to Committee on Calendar.

Senate Joint Resolution No. 810 -- Memorials, Professional Achievement -- Rebecca Reel, Teacher of the Year, Russellville Elementary School.

The Speaker announced that he had referred Senate Joint Resolution No. 810 to Committee on Calendar.

Senate Joint Resolution No. 811 -- Memorials, Professional Achievement -- Donna Meade, Teacher of the Year, Whitesburg Elementary School.

The Speaker announced that he had referred Senate Joint Resolution No. 811 to Committee on Calendar.

Senate Joint Resolution No. 812 -- Memorials, Professional Achievement -- Vicki Brady, Teacher of the Year, East Ridge Middle School.

The Speaker announced that he had referred Senate Joint Resolution No. 812 to Committee on Calendar.

Senate Joint Resolution No. 813 -- Memorials, Professional Achievement -- Jackie Sisson, Teacher of the Year, Manley Primary School and Manley Intermediate School.

The Speaker announced that he had referred Senate Joint Resolution No. 813 to Committee on Calendar.

Senate Joint Resolution No. 814 -- Memorials, Professional Achievement -- Sandra Altizer, Teacher of the Year, Meadowview Middle School.

The Speaker announced that he had referred Senate Joint Resolution No. 814 to Committee on Calendar.

Senate Joint Resolution No. 815 -- Memorials, Congratulations -- Taylor Marie Ware, National Yahoo! Yodel Challenge.

The Speaker announced that he had referred Senate Joint Resolution No. 815 to Committee on Calendar.

MONDAY, MARCH 15, 2004 -- 70TH LEGISLATIVE DAY

Senate Resolution No. 135 -- Memorials, Death -- Frank "Billy" Hicks, Jr.

The Speaker announced that he had referred Senate Resolution No. 135 to Committee on Calendar.

Senate Resolution No. 136 -- Memorials, Public Service -- Adam Hanover.

The Speaker announced that he had referred Senate Resolution No. 136 to Committee on Calendar.

Senate Resolution No. 137 -- Memorials, Public Service -- Beaux Carriere.

The Speaker announced that he had referred Senate Resolution No. 137 to Committee on Calendar.

CONSENT CALENDAR NO. 1

Senate Joint Resolution No. 806 -- Memorials, Academic Achievement -- Tara Tolbert, Valedictorian, DeKalb County High School.

Senate Joint Resolution No. 807 -- Memorials, Academic Achievement -- Brittany Willoughby, Salutatorian, DeKalb County High School.

Senate Joint Resolution No. 808 -- Memorials, Professional Achievement -- Sue Lee, Teacher of the Year, West Elementary School.

Senate Joint Resolution No. 809 -- Memorials, Professional Achievement -- Suzanne Poole, Teacher of the Year, Miller Boyd Alternative School.

Senate Joint Resolution No. 810 -- Memorials, Professional Achievement -- Rebecca Reel, Teacher of the Year, Russellville Elementary School.

Senate Joint Resolution No. 811 -- Memorials, Professional Achievement -- Donna Meade, Teacher of the Year, Whitesburg Elementary School.

Senate Joint Resolution No. 812 -- Memorials, Professional Achievement -- Vicki Brady, Teacher of the Year, East Ridge Middle School.

Senate Joint Resolution No. 813 -- Memorials, Professional Achievement -- Jackie Sisson, Teacher of the Year, Manley Primary School and Manley Intermediate School.

Senate Joint Resolution No. 814 -- Memorials, Professional Achievement -- Sandra Altizer, Teacher of the Year, Meadowview Middle School.

Senate Joint Resolution No. 815 -- Memorials, Congratulations -- Taylor Marie Ware, National Yahoo! Yodel Challenge.

Senator Crowe moved that all Senate Joint Resolutions be adopted, which motion prevailed by the following vote:

Ayes 29
Noes 0

MONDAY, MARCH 15, 2004 -- 70TH LEGISLATIVE DAY

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Herron, Ketron, Kilby, Kurita, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--29.

A motion to reconsider was tabled.

CONSENT CALENDAR NO. 2

Objections having been raised, the following bills were placed at the heel of the calendar for Thursday, March 18, 2004, pursuant to Rule 38: **Senate Bills Nos. 2321, 2890 and 3029.**

Senate Bill No. 2407 -- Pensions and Retirement Benefits -- Changes various provisions concerning TCRS, such as provisions governing service in superseded system and contributions. Amends TCA Sections 8-34-101(14)(B), 8-34-101(46)(B), 8-34-602(d), 8-35-401(a), 8-35-403, 8-35-404(d), 8-36-801, 8-36-802, 8-36-818; and Title 7 and Title 8, Chapter 35, Part 2.

Senate Bill No. 3218 -- Game and Fish Laws -- Clarifies that the lifetime sportsman license fee for children less than three years of age is not subject to periodic fee increases. Amends TCA Section 70-2-201.

Senate Bill No. 3361 -- State Symbols -- Designates the historic Tennessee River Freshwater Pearl Farm and Museum in Benton County as the official site of Tennessee freshwater pearl culturing. Amends TCA Section 4-1-310.

Senate Bill No. 3384 -- Surplus Property -- Expands the exception to the prohibition on state officials and employees purchasing surplus property from the state to allow purchase by Internet auction in addition to allowing purchase by bid at a public auction.

Senate Bill No. 3414 -- Parks, Natural Areas Preservation -- Designates Manus Road Cedar Glade as Class II Natural-Scientific Area. Amends TCA Section 11-14-108.

Senator Crowe moved that all Senate Bills be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 30
Noes 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Herron, Ketron, Kilby, Kurita, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--30.

A motion to reconsider was tabled.

LOCAL BILL
CONSENT CALENDAR

Senate Bill No. 3462 -- Montgomery County -- Subject to local approval, authorizes county to impose adequate facilities tax.

MONDAY, MARCH 15, 2004 -- 70TH LEGISLATIVE DAY

On motion, Senate Bill No. 3462 was made to conform with **House Bill No. 3555**.

On motion, House Bill No. 3555, on same subject, was substituted for Senate Bill No. 3462.

Senate Bill No. 3470 -- Erin -- Subject to local approval, rewrites charter. Amends Chapter 403 of the Private Acts of 1951; as amended.

On motion, Senate Bill No. 3470 was made to conform with **House Bill No. 3562**.

On motion, House Bill No. 3562, on same subject, was substituted for Senate Bill No. 3470.

Senator Crowe moved that all House Bills be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 28
Noes 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Herron, Ketron, Kilby, Kurita, McLeary, McNally, Miller, Norris, Person, Ramsey, Trail, Williams and Mr. Speaker Wilder--28.

A motion to reconsider was tabled.

CALENDAR

Senator Atchley moved that **Senate Bill No. 3212** be placed on the calendar for Thursday, March 18, 2004, which motion prevailed.

Senator Trail moved that **Senate Bill No. 1671** be placed on the calendar for Monday, March 22, 2004, which motion prevailed.

Senate Bill No. 2220 -- Taxes, Real Property -- Requires grantor or lessor, as well as grantee or lessee, of tax exempt property to promptly report to assessor any change in use or ownership of property which might affect its exempt status. Amends TCA Title 67.

Senator Cooper moved to amend as follows:

AMENDMENT NO. 1

AMEND by adding the following as a new Section 2 to the printed bill and re-designating Section 2 as Section 3 as follows:

SECTION 2. Tennessee Code Annotated, Section 67-5-201(b), is amended by adding a new §67-5-201(b)(4) as follows:

(4) The grantor or lessor of nonexempt property which is conveyed or transferred by sale, lease or otherwise to a person, firm, or corporation, rendering the status of the property as exempt by reason of the transfer shall promptly report to the assessor any change in the use or ownership of the property which might affect its nonexempt status.

A grantor or lessor of nonexempt property includes any person, firm, or corporation who is not otherwise exempt under this part. The grantor or lessor of real property which, prior to the transfer to such grantee or lessee was nonexempt, shall promptly report to the assessor the change in ownership or use of such property. The nonexempt grantor's or lessor's notice of the change in ownership or use to the assessor shall be a prerequisite to the grantor or lessor seeking a refund of taxes paid related to exempt ownership or use of the property occurring after the date of transfer to the tax exempt grantee or lessee by sale or lease.

On motion, Amendment No. 1 was adopted.

Senator Cooper moved to amend as follows:

AMENDMENT NO. 2

AMEND by adding the following new section after Section 1 and by renumbering the subsequent sections accordingly:

SECTION ____ Tennessee Code Annotated, Section 67-5-212, is amended by deleting the last sentence of subsection (b)(3) and substituting instead the following:

Where a religious institution acquires property previously approved for a religious use exemption or property to replace its own property previously approved for religious use exemption, the effective date of exemption shall be one (1) year prior to the date of application, or the date the acquiring institution began to use the property for religious purposes, whichever is later.

AND FURTHER AMEND by deleting Section 2 of the bill as filed and substituting instead the following:

SECTION ____ This act shall take effect on becoming law, the public welfare requiring it, and shall apply to claims pending on its effective date.

On motion, Amendment No. 2 was adopted.

Thereupon, **Senate Bill No. 2220**, as amended, passed its third and final consideration by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Herron, Ketron, Kilby, Kurita, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--30.

A motion to reconsider was tabled.

Senate Bill No. 2228 -- Game and Fish Laws -- Increases criminal penalty for hunting or shooting from a public road or shooting firearm across or on any public road from Class C misdemeanor to Class A misdemeanor. Amends TCA Section 70-4-108.

Senator Trail moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language following the enacting code and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 70-4-108(c), is amended by deleting the subsection in its entirety and substituting instead the following language:

(c) A violation of the provisions of this section is a Class A misdemeanor. Punishment shall not exceed thirty (30) days in jail; and a fine not to exceed one thousand dollars (\$1,000).

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Senator Trail moved that **Senate Bill No. 2228** be referred to the Committee on Judiciary, which motion prevailed.

PRESENTATIONS

Senator Herron presented **House Joint Resolution No. 968** to the Martin Middle School Cheerleaders.

Senator Herron presented **House Joint Resolution No. 969** to the Westview High School Cheerleaders.

CALENDAR

Senate Bill No. 2512 -- Clerks, Court -- Transfers juvenile court clerk duties from Hamblen County juvenile court to the clerk of the Hamblen County general sessions court or the clerk and master before July 1, 2006. Amends TCA Title 37.

Senator Person moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting the language "or the clerk and master" in the amendatory language of Section 1 of the printed bill.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2512**, as amended, passed its third and final consideration by the following vote:

Ayes 30
Noes 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Herron, Ketron, Kilby,

MONDAY, MARCH 15, 2004 -- 70TH LEGISLATIVE DAY

Kurita, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--30.

A motion to reconsider was tabled.

Senator Trail moved that **Senate Bill No. 2748** be placed on the calendar for Monday, March 22, 2004, which motion prevailed.

Senate Bill No. 2806 -- Election Laws -- Requires county election administrators to release upon request the name of any person who obtained a nominating petition to seek elective office, even if the date for returning and filing the petition has not passed or the petition was not returned and filed. Amends TCA Title 2, Chapter 12.

Senate Bill No. 2806 passed its third and final consideration by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Herron, Ketron, Kilby, Kurita, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--30.

A motion to reconsider was tabled.

Senate Bill No. 2869 -- Election Laws -- Requires county election commissioners to attend a statewide or regional training seminar conducted by coordinator of elections within one year of commissioner's initial appointment. Amends TCA Title 2, Chapter 11 and Title 2, Chapter 12.

Senator Herron moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting the citation "Section 2-11-20(a)(18)(A)" in Section 1, and by substituting instead the citation "Section 2-11-202(a)(18)(A)".

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2869**, as amended, passed its third and final consideration by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Herron, Ketron, Kilby, Kurita, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--30.

A motion to reconsider was tabled.

Senate Bill No. 2969 -- Public Contracts -- Requires departments and agencies to give preference to Tennessee agricultural products during purchasing if cost and quality are equal. Amends TCA Title 4 and Title 12.

Senate Bill No. 2969 passed its third and final consideration by the following vote:

Ayes 28
Noes 0

Senators voting aye were: Beavers, Bryson, Burchett, Burks, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Herron, Ketron, Kilby, Kurita, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--28.

A motion to reconsider was tabled.

Senate Bill No. 2981 -- County Officers -- Allows county to redesignate county mayor as county executive by private act. Amends TCA Section 5-6-101.

Senate Bill No. 2981 passed its third and final consideration by the following vote:

Ayes 29
Noes 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Herron, Ketron, Kilby, Kurita, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--29.

A motion to reconsider was tabled.

Senator McNally moved that **Senate Bill No. 3139** be placed on the calendar for Monday, March 22, 2004, which motion prevailed.

Senator Burchett moved that **Senate Bills Nos. 3219 and 3233** be placed on the calendar for Monday, March 29, 2004, which motion prevailed.

RECALL OF BILL

On motion of Senator Person, **Senate Bill No. 2088** was recalled from the Committee on Commerce, Labor and Agriculture.

REFERRAL

Senator Person moved that Senate Bill No. 2088 be referred to the Committee on Judiciary, which motion prevailed.

MOTION

Senator Cooper moved that Rule 83(8) be suspended for the purpose of placing **Senate Joint Resolution No. 747** and **Senate Bills Nos. 1161, 1882, 1884 and 3082** on the calendar for the Committee on Commerce, Labor and Agriculture for Tuesday, March 16, which motion prevailed.

MOTION

On motion of Senator Miller, his name was added as sponsor of **Senate Bill No. 2376**.

On motion of Senator Herron, his name was added as sponsor of **Senate Bill No. 3423**.

On motion of Senator Kilby, his name was added as sponsor of **Senate Bills Nos. 3399, 3426, 3430, 3447, 3449 and 3461**.

On motion of Senator Dixon, his name was added as sponsor of **Senate Bills Nos. 3376, 3396, 3400, 3401, 3418, 3451 and 3455**.

On motion of Senator Kurita, her name was added as sponsor of **Senate Bills Nos. 3383, 3386, 3398, 3408, 3416, 3421 and 3477**.

On motion of Senator Ford, his name was added as sponsor of **Senate Bills Nos. 3385, 3405, 3407 and 3459**.

On motion of Senator Harper, her name was added as sponsor of **Senate Bills Nos. 2089, 3148, 3379, 3381, 3384, 3404 and 3409**.

On motion of Senator Trail, his name was added as prime sponsor of **Senate Bills Nos. 3391, 3393, 3395, 3414, 3427, 3432 and 3455**.

On motion of Senator Clabough, his name was added as sponsor of **Senate Bill No. 3454**.

On motion of Senator Williams, his name was added as sponsor of **Senate Bill No. 3458**.

On motion of Senator McNally, his name was added as sponsor of **Senate Bills Nos. 2975 and 3148**.

On motion, all Senators' names were added as sponsors of **House Joint Resolutions Nos. 968 and 969**.

On motion of Senator Crowe, his name was added as sponsor of **Senate Bills Nos. 2969 and 3139**.

On motion of Senator Ketron, his name was removed as sponsor of **Senate Bill No. 2632**.

On motion of Senator McLeary, his name was added as sponsor of **Senate Bills Nos. 1671, 2748, 2969, 3139 and 3384**.

ENGROSSED BILLS

March 15, 2004

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Bills Nos. 2220, 2407, 2512, 2806, 2869, 2969, 2981, 3218, 3361, 3384 and 3414; and Senate Joint Resolutions Nos. 806, 807, 808, 809, 810, 811, 812, 813, 814 and 815; and find same correctly engrossed and ready for transmission to the House.

PATRICK W. MERKEL,
Chief Engrossing Clerk.

MESSAGE FROM THE HOUSE

March 15, 2004

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 2141, 2618, 2782, 2813, 3540, 3543, 3566, 3567 and 3568; passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

March 15, 2004

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 956, 967, 968, 969, 972, 973, 974, 975 and 976; adopted, for the Senate's action.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

March 15, 2004

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2703, substituted for House Bill on same subject and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

March 15, 2004

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 794, 795, 796, 799, 803, 804 and 805; concurred in by the House.

BURNEY T. DURHAM,
Chief Clerk.

ENROLLED BILLS

March 15, 2004

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Bills Nos. 2316, 2488, 2603 and 2730; and find same correctly enrolled and ready for the signatures of the Speakers.

PATRICK W. MERKEL,
Chief Engrossing Clerk.

ENROLLED BILLS

March 16, 2004

MONDAY, MARCH 15, 2004 -- 70TH LEGISLATIVE DAY

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Joint Resolutions Nos. 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792,

MONDAY, MARCH 15, 2004 -- 70TH LEGISLATIVE DAY

794, 795, 796, 799, 803, 804 and 805; and find same correctly enrolled and ready for the signatures of the Speakers.

PATRICK W. MERKEL,
Chief Engrossing Clerk.

MESSAGE FROM THE HOUSE

March 15, 2004

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 2417, 2462, 2470, 2868, 2999, 3554, 3556, 3558 and 3560; for the signature of the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

SIGNED

March 15, 2004

The Speaker announced that he had signed the following: Senate Bills Nos. 2316, 2488, 2603 and 2730.

SIGNED

March 16, 2004

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 794, 795, 796, 799, 803, 804 and 805.

MESSAGE FROM THE HOUSE

March 15, 2004

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 2316, 2488, 2603 and 2730; signed by the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

March 16, 2004

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 794, 795, 796, 799, 803, 804 and 805; signed by the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

March 16, 2004

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Bills Nos. 2316, 2488, 2603 and 2730; for his action.

PATRICK W. MERKEL,
Chief Engrossing Clerk.

REPORT OF CHIEF ENGROSSING CLERK

March 16, 2004

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 794, 795, 796, 799, 803, 804 and 805; for his action.

PATRICK W. MERKEL,
Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR

March 12, 2004

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Bills Nos. 221, 1631, 2098, 2129, 2315, 2504 and 3341; with his approval.

ROBERT E. COOPER, JR.,
Counsel to the Governor.

MESSAGE FROM THE GOVERNOR

March 15, 2004

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Bills Nos. 216, 1905, 2322, 2475, 2481, 2563, 2792 and 2852; and Senate Joint Resolution No. 801; with his approval.

ROBERT E. COOPER, JR.,
Counsel to the Governor.

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR #1**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, March 18, 2004: House Joint Resolutions Nos. 902, 954, 956, 961, 962, 963, 964, 965, 967, 968, 969, 972, 973, 974, 975 and 976; Senate Joint Resolutions Nos. 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829 and 830; and Senate Resolutions Nos. 135, 136 and 137.

This the 16th day of March, 2004.
CROWE, Chairperson.

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR #2**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, March 18, 2004: Senate Bills Nos. 2119, 2406, 2485, 2694, 3166 and 3167; Senate Resolutions Nos. 127 and 128; Senate Joint Resolution No. 718; and House Joint Resolution No. 944.

This the 16th day of March, 2004.
CROWE, Chairperson.

MONDAY, MARCH 15, 2004 -- 70TH LEGISLATIVE DAY

**REPORT OF COMMITTEE ON CALENDAR
LOCAL BILL
CONSENT CALENDAR**

Pursuant to Rule 26, the following bill has been set on the Consent Calendar for Thursday, March 18, 2004: Senate Bill No. 3477.

REPORT OF COMMITTEE ON CALENDAR

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, March 18, 2004: Senate Bills Nos. 3212, 3133, 3391, 3398, 3403, 3432, 3447 and 3458; House Joint Resolution No. 105; and Senate Bills Nos. 2321, 2890 and 3029.

This the 16th day of March, 2004.
CROWE, Chairperson.

ADJOURNMENT

Senator Crutchfield moved the Senate adjourn until 9:00 a.m., Thursday, March 18, 2004, which motion prevailed.